CLAIM OF: JABIR ARDRELL BASHIR

840 Brownwood Avenue Atlanta, Georgia 30316

For damages allegedly sustained when personal property was confiscated by Atlanta Police during an arrest and never returned on June 25, 2001 at 675 Ponce De Leon Avenue, NE.

THIS ADVERSED REPORT IS APPROVED

BY:

JERRY L. DELOĂCH DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFTEY &

LEGAL ADMINISTRATION COMMITTEE

DATE:

CHAIR:

سلافون رازاك



CITY OF ATLANTA OFFICE OF MUNICIPAL CLERK June 22, 2005

RHONDA DAUPHIN JOHNSON, CMC MUNICIPAL CLERK

> Jabir Ardrell Bashir 840 Brownwood Avenue Atlanta, GA 30316

55 TRINITY AVENUE, S.W. SECOND FLOOR, EAST SUITE 2700 ATLANTA, GEORGIA 30335 (404) 330-6033 FAX (404) 658-6103 05-R-1033

Dear Mr. Bashir:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on June 20, 2005. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC

Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Statements: City employee Claimant Others Written Oral Pictures Diagrams Reports: Police X Dept Report X Other X Traffic citations issued: City Driver Claimant Driver Citation disposition: City Driver Claimant Driver BASIS OF RECOMMENDATION: Function: Governmental X Ministerial Improper Notice X More than Six Months X Other Damages reasonable City not involved Offer rejected Compromise settlement Repair/replacement by Ins. Co. Repair/replacement by City Forces Claimant Negligent City Negligent Joint Claim Abandoned Respectfully submitted, RECOMMENDATION: Pay \$ Adverse X Account charged: 1A01 2J01 2P01 2H01 Claims Manager: Concur/date Concur/	Claim No. <u>02L0858</u>	Date: June 1, 2005
BY: (Atty) (Ins. Co.) Address: 840 Brownwood Avenue, Atlanta, Georgia 30316 Subrogation: Claim for Property damage \$ unspecified Bodily Injury \$ Date of Notice: Cl. (C.G.A. \$36-33-5		
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Address: 840 Brownwood Avenue, Atlanta, Georgia 30316 Subrogation: Claim for Property damage \$ unspecified Bodily Injury \$ Date of Notice: 11/21/02 Method: Written, Proper Improper X Conforms to Notice: O.C.G.A. §36-33-5 Ante Litem (6 Mo.) Date of Occurrence 6/25/01 Place: 675 Ponce De Leon Avenue, NE Department POLICE Division: Employee involved Disciplinary Action: NATURE OF CLAIM: Claimant alleges that his personal property was confiscated by Atlanta Police during his unlawful arrest and was never returned to him. However, the claim fails to meet the requirements of notice as the statue of limitations expired prior to receipt of the claim. INVESTIGATION: Statements: City employee Claimant Others Written Oral Pictures Diagrams Reports: Police X Dept Report X Other X Traffic citations issued: City Driver Claimant Driver Citation disposition: City Driver Claimant Driver BASIS OF RECOMMENDATION: Function: Governmental X Ministerial Improper Notice X More than Six Months X Other Damages reasonable City not involved Offer rejected Compromise settlement Repair/replacement by Ins. Co. Repair/replacement by City Forces Claimant Negligent City Negligent Joint Claim Abandoned Respectfully submitted, Respectfully submitted, Recommendation: City Negligent Joint Claim Abandoned Claims Manager: Concur/date Co	RV: (Atty) (Inc. Co.)	
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Committee Action:Council Action	Committee Action:	Council Action

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 4-21 05-R-1086 05-R-1084 05-O-0972 05-R-1093 05-O-0906 05-R-0905 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1

EXCUSED: 0
ABSENT 2

Y Smith Y Archibong Y Moore Y Mitchell Y Starnes Y Fauver Y Martin Y Norwood Y Young B Shook B Maddox Y Willis Y Winslow Y Muller Y Sheperd NV Borders

		6/20/05	
ITEMS ADOPTED	ITEMS ADOPTED	ITEMS ADVERSED	
ON CONSENT	ON CONSENT	ON CONSENT	
1. 05-O-1075	31. 05-R-1069	55. 05-R-1023	
2. 05-O-1076	32. 05-R-1072	56. 05-R-1024	
3. 05-O-1078	33. 05-R-0903	57. 05-R-1025	
4. 05-O-1101	34. 05-R-1062	58. 05-R-1026	
5. 05-O-1102	35. 05-R-1063	59. 05-R-1027	
6. 05-O-1103	36. 05-R-1064	60. 05-R-1028	
7. 05-O-1089	37. 05-R-1054	61. 05-R-1029	
8. 05-O-1099	38. 05-R-1055	62. 05-R-1030	
9. 05-O-0904	39. 05-R-1056	63. 05-R-1031	
10. 05-O-0910	40. 05-R-1057	64. 05-R-1032	
11. 05-O-0911	41. 05-R-1073	65. 05-R-1033	
12. 05-O-0912	42. 05-R-1074	66. 05-R-1034	
13. 05-O-0916	43. 05-R-1108	67. 05-R-1035	
14. 05-O-0968	44. 05-R-1116	68. 05-R-1036	
15. 05-O-0976	45. 05-R-1117	69. 05-R-1037	
16. 05-O-1080	46. 05-R-0819	70. 05-R-1038	
17. 05-O-0981	47. 05-R-1043	71. 05-R-1039	
18. 05-O-0982	48. 05-R-1044	72. 05-R-1040	
19. 05-O-1085	49. 05-R-1047	73. 05-R-1041	
20. 05-O-1104	50. 05-R-1049	74. 05-R-1042	
21. 05-O-1105	51. 05-R-1019		
22. 05-O-1106	52. 05-R-1020		
23. 05-O-0960	53. 05-R-1021	İ	
24. 05-O-0961	54. 05-R-1022	į	
25. 05-R-1060			
26. 05-R-1061			
27. 05-R-1077			
28. 05-R-1098			
29. 05-R-1067			
30. 05-R-1068			